IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

	X
GALDERMA LABORATORIES, L.P.,)
GALDERMA S.A.,	
and	
DERMALOGIX PARTNERS, INC.,)
)
Plaintiffs and)
Counterclaim Defendants,) Civil Action No. 4:09-CV-0002-Y
) The Honorable Terry R. Means
v.)
)
PADDOCK LABORATORIES, INC.,)
)
Defendant and)
Counterclaim Plaintiff.)
	X

JOINT MOTION TO PERMANENTLY SEAL DOCUMENTS AND BRIEF IN SUPPORT

Plaintiffs Galderma Laboratories, L.P., Galderma S.A., and Dermalogix Partners, Inc. (collectively the "Plaintiffs"), and Defendant Paddock Laboratories, Inc. ("Defendant"), file this Joint Motion to Permanently Seal Documents and Brief in Support, and show:

- 1. Because of the confidential and sensitive nature of documents and information produced by the parties during discovery in this matter, the parties prepared and filed a Joint Protective Order to govern the production and handling of trade secret and proprietary information. [Doc. 25]. On March 19, 2009, the Court entered a Joint Protective Order to govern all discovery in this case. [Doc. 26].
- 2. During the course of the litigation, the parties produced extensive documents according to the Court's Joint Protective Order, including detailed drug formulation documents, product development records, confidential communications and applications filed with the Food and Drug Administration, documents disclosing the parties' manufacturing processes, scientific

research and testing, financial data, market analyses, and marketing and strategic planning documents. The parties marked such documents as either "Confidential" or "Highly Confidential" under the Court's Protective Order.

- 3. Many of the parties' confidential documents were attached to, or otherwise disclosed in filings with the Court. In accordance with the Joint Protective Order, such filings were under seal.
- 4. This matter has been resolved, and the Court entered a Final Judgment on April 5, 2011. [Doc.242]. Under Local Rule 79.4, unless the Court rules otherwise, all sealed documents will be deemed unsealed 60 days after the disposition of a case.
- 5. Public disclosure of the parties' trade secret and other confidential and proprietary documents and information would significantly damage the parties' businesses. Accordingly, Plaintiffs and Defendant jointly request that the Court permanently seal all filings that were previously filed under seal in this matter.

Dated: May 27, 2011

Respectfully submitted,

<u>/s/ Michael C. Wilson</u>

Michael C. Wilson

Texas State Bar No. 21704590

Jamil N. Alibhai

Texas State Bar No. 00793248

MUNCK CARTER, LLP

600 Banner Place 12770 Coit Road Dallas, Texas 75251

Telephone: (972) 628-3600

Facsimile: (972) 628-3616

Of Counsel:

Stuart Pollack

DLA PIPER LLP

1251 Avenue of the Americas New York, New York 10020 Telephone: (212) 335-4964

Facsimile: (212) 884-8464

Attorneys for Plaintiffs Galderma Laboratories, L.P., Galderma S.A., and

Dermalogix Partners, Inc.

/s/ Richard A. Sayles

Richard A. Sayles

Texas State Bar No. 17697500

Eve L. Henson

Texas State Bar No. 00791462

SAYLES WERBNER

A Professional Corporation

1201 Elm Street

4400 Renaissance Tower

Dallas, Texas 75270

Telephone: (214) 939-8700

Facsimile: (214) 939-8787

Of Counsel:

Edgar H. Haug

Porter F. Fleming

Angus Chen

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue

New York, New York 10151

Telephone: (212) 588-0800

Facsimile: (212) 588-0500

Attorneys for Defendant Paddock

Laboratories, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2011, a true and correct copy of the foregoing instrument was delivered upon all counsel of record via ECF.

/s/ Michael C. Wilson
Michael C. Wilson